

1       serve? I mean, if you're not -- if you're not 70,  
2       you don't have the disability exemption.

3               ANN MCGEEHAN: I guess at this point  
4       it's going to serve more as a -- an informational  
5       tool to the voter. It will tell them what districts  
6       they're registered in, you know, which Congressional  
7       district, which State Senatorial District. I think  
8       there's five districts that have to be districts on  
9       the certificate.

10              Tell them their county election precinct  
11       number, which might help them find out where they  
12       need to go vote. So I guess it would be more for  
13       the voter's benefits and information.

14              REPRESENTATIVE ANCHIA: An  
15       alternative approach that we've discussed many times  
16       in this committee is simply adding a person's  
17       picture to the voter registration certificate and --  
18       which would be a pretty easy fix. I think it -- the  
19       technology certainly exists. I mean, we might want  
20       to import some late 1990 -- '80s technology to -- to  
21       implement that very simple act, I mean, through a  
22       bubble jet printer or something like that, if you  
23       can find those.

24              Have you done a feasibility analysis on  
25       that approach as opposed to this approach?



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1 ANN MCGEEHAN: I think there's one or  
2 two bills filed this session that kind of play that  
3 kind of approach. So I think we've tried to do some  
4 research to -- for purpose of responding to the  
5 fiscal note as to what they would take.

6 REPRESENTATIVE ANCHIA: Because it  
7 seems to me that would be the easiest fix here, just  
8 to add someone's photo. And there will be a  
9 universe of people who don't have a photo on file.  
10 Right? So if it was possible, for example, to work  
11 with Commander Deese (phonetic) at DPS and merge the  
12 TDL database photos down and -- and do a match  
13 with -- with the HABA-compliant --

14 ANN MCGEEHAN: Right.

15 REPRESENTATIVE ANCHIA: -- statewide  
16 voter registration database, and then you dump down  
17 the State I.D. photos, the non-TDL photos --

18 ANN MCGEEHAN: Uh-huh.

19 REPRESENTATIVE ANCHIA: -- and then  
20 you dump down maybe a CHL universe, you -- you --  
21 you probably hit a pretty significant number. It  
22 wouldn't be complete. I mean, you would have to  
23 have some sort of mechanism at the polls to gather  
24 people's photos or an outreach. But can you --  
25 we've had these suggestions around for a couple



1 sessions now. Can you talk about some of the -- the  
2 opportunities there or the challenges?

3 ANN MCGEEHAN: You know, we've --  
4 we've done some preliminary analysis. I think the  
5 effort there would -- would be one of, you know,  
6 equipment and whether it would be the State issuing  
7 these cards or whether it would be the county,  
8 whether we'd give the -- you know, if -- if the  
9 State wanted to fund the county to have the  
10 equipment necessary to capture the pictures for  
11 those people that aren't --

12 REPRESENTATIVE ANCHIA: Sounds like  
13 we have HABA funds for this, though. Right?

14 ANN MCGEEHAN: Well, HABA funds --  
15 HABA, you know, has certain express purposes. Voter  
16 education is one. I don't think we could use HABA  
17 to implement voter I.D.

18 REPRESENTATIVE ANCHIA: Say that  
19 again.

20 ANN MCGEEHAN: Well, HABA had -- has  
21 very express requirements in the federal law.

22 REPRESENTATIVE ANCHIA: But you just  
23 said you don't think you can use HABA funds to  
24 implement voter I.D.

25 ANN MCGEEHAN: Well, meaning what





1       you're talking about, to take people's pictures --

2               REPRESENTATIVE ANCHIA: So you could  
3       use it to implement a photo I.D. regime, but you  
4       couldn't use it to add people's photos to a voter  
5       registration certificate?

6               ANN MCGEEHAN: We could look at  
7       that -- at the language of the bill more closely.  
8       But, you know, the main mandates of HABA were  
9       provisional voting, voting system, security. We  
10      could -- you know, maybe -- maybe it's more broad  
11      than I'm thinking.

12              We've been very cautious with the HABA  
13      funds and try to make sure we're in compliance with  
14      what -- the Federal Election Systems Commission. It  
15      would be curious to see if Georgia or Indiana use  
16      that money -- HABA monitor [sic] that portion of  
17      the -- of their implementation of voter I.D.

18              REPRESENTATIVE ANCHIA: Ms. Wang  
19      talked about a vote-saving affidavit approach to  
20      preventing people from being disenfranchised under  
21      a -- a photo I.D. regime. Other states have it.  
22      And Idaho, by way of example, has a photo I.D.  
23      regime, but at the same time allows persons who are  
24      unable to comply to -- to offer up a vote-saving  
25      affidavit that says they are the person on the card.



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1 And, typically, the penalty for that is aggravated  
2 perjury, is it not, if you bust an affidavit related  
3 to an election --

4 ANN MCGEEHAN: Yes.

5 REPRESENTATIVE ANCHIA: -- and -- and  
6 the penalty for that is two to ten years in jail, is  
7 it not?

8 ANN MCGEEHAN: That sounds about  
9 right.

10 REPRESENTATIVE ANCHIA: \$10,000 -- up  
11 to \$10,000 fine.

12 ANN MCGEEHAN: Yes.

13 REPRESENTATIVE ANCHIA: And don't we  
14 have an affidavit currently in -- for people who --  
15 because let me back up a step.

16 We have a photo -- we have a voter I.D.  
17 standard in Texas today, don't -- do we not?

18 ANN MCGEEHAN: Yes.

19 REPRESENTATIVE ANCHIA: It's our  
20 voter registration certificate.

21 And when you cannot comply with that --  
22 with that voter registration certificate  
23 requirement, you can use other forms of I.D. like a  
24 driver's license. Correct?

25 ANN MCGEEHAN: Yes.



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1 REPRESENTATIVE ANCHIA: And when  
2 you -- when you use that driver's license, you sign  
3 an affidavit, do you not?

4 ANN MCGEEHAN: Yes.

5 REPRESENTATIVE ANCHIA: And that's  
6 contained in the poll book, is it not?

7 ANN MCGEEHAN: Right.

8 REPRESENTATIVE ANCHIA: What does  
9 that affidavit say?

10 ANN MCGEEHAN: It's the voter saying  
11 they don't have their voter registration  
12 certificate, essentially.

13 REPRESENTATIVE ANCHIA: But there are  
14 other things. Right?

15 ANN MCGEEHAN: For the affidavit?

16 REPRESENTATIVE ANCHIA: Yeah.

17 ANN MCGEEHAN: Yeah. There are  
18 several affidavits.

19 REPRESENTATIVE ANCHIA: You -- you  
20 haven't voted previously in this election, et  
21 cetera. Correct?

22 ANN MCGEEHAN: Uh-huh, yes.

23 REPRESENTATIVE ANCHIA: Okay. And if  
24 the standard is -- is flipped and suddenly you have  
25 a photo -- a photo I.D. requirement, what would





1 be -- a Voter Registrar affidavit look like?  
2 Because currently if you can comply with the voter  
3 requirement, you can give an alternative form of --  
4 of identification, which may or may not be a photo  
5 I.D. If you go to a photo I.D. regime, what would a  
6 vote-saving affidavit look like, so that people who  
7 otherwise would comply, could comply, who are  
8 eligible to vote do not get their votes rejected?

9 ANN MCGEEHAN: Well, we -- we could  
10 look at, you know, what some of the other states  
11 have done with respect to that. Michigan, for  
12 example.

13 REPRESENTATIVE ANCHIA: Ohio.

14 ANN MCGEEHAN: Ohio. I think I heard  
15 Florida earlier today.

16 REPRESENTATIVE ANCHIA: Right, right.

17 But that would prevent people from being  
18 disenfranchised if they could not comply with this,  
19 as you said, major change in state law?

20 ANN MCGEEHAN: Yeah. I mean, that  
21 would be -- that's a policy call for the  
22 Legislature, but...

23 REPRESENTATIVE ANCHIA: Right.

24 What's the standard for match in this  
25 bill? I show up, my hair's longer. I saw Ramey Ko



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1 today. His hair's longer than two years ago when he  
2 testified. Sometimes people look differently --

3 ANN MCGEEHAN: Uh-huh.

4 REPRESENTATIVE ANCHIA: -- I mean,  
5 photo I.D.s are good for 10-year periods in some  
6 cases. Right?

7 ANN MCGEEHAN: Right, right.

8 REPRESENTATIVE ANCHIA: Didn't know  
9 it. Ten years later, I look pretty different than I  
10 did ten years ago.

11 What's the -- what's the -- what's the  
12 standard for a visual identification?

13 ANN MCGEEHAN: I don't know that the  
14 bill has -- has -- has a -- has a standard  
15 necessarily. It says that -- that -- that -- the  
16 language basically says that the documentation  
17 establishes, I think, they're identity.

18 REPRESENTATIVE ANCHIA: From the  
19 proof presented. Correct?

20 ANN MCGEEHAN: From the proof, yes.  
21 So that would clearly be an area that we would need  
22 to address that training.

23 REPRESENTATIVE ANCHIA: Ultimately,  
24 it's subjective. Right? The poll worker is given  
25 the opportunity to either confirm or deny the





1 identity. Right?

2 ANN MCGEEHAN: Right.

3 REPRESENTATIVE ANCHIA: And there's  
4 no guidance in the bill to tell us --

5 ANN MCGEEHAN: Right. To --

6 REPRESENTATIVE ANCHIA: -- how to --

7 ANN MCGEEHAN: Right. To a certain  
8 extent that is an issue today. If a -- if a person  
9 shows eye -- they don't have their certificate and  
10 they don't show their driver's license, other I.D.  
11 is authorized. And there's similar language in the  
12 current law about, you know, establishing  
13 identification from the -- from the identification  
14 providing. But I think that would be something we  
15 would need to address in training. And we would  
16 certainly look to some of the other states that have  
17 implemented already and try to borrow some best  
18 practices.

19 REPRESENTATIVE ANCHIA: Do you know  
20 how other states approach this?

21 ANN MCGEEHAN: I do not, not today.

22 REPRESENTATIVE ANCHIA: Okay. That's  
23 it. Thank you, Mr. Chairman.

24 REPRESENTATIVE HARLESS:

25 Mr. Chairman, I have one follow-up question.



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1                   You just got through mentioning about --  
2                   and -- and we all concerned [sic] about the  
3                   discretion. Section 63.010 talks about the  
4                   documentation proof of identification. Currently,  
5                   the poll worker has that discretion. You all would  
6                   just define those standards differently. Is that  
7                   correct?

8                   ANN MCGEEHAN: Right. I think we  
9                   would address it specifically in our training.  
10                  Right now, that's not specifically addressed in our  
11                  training.

12                  REPRESENTATIVE HARLESS: (Inaudible)  
13                  poll worker (inaudible).

14                  ANN MCGEEHAN: That's correct.

15                  CHAIRMAN BONNEN: Any other  
16                  questions, Members? Thank you. Appreciate your  
17                  being here.

18                  Members, is there any desire to bring up a  
19                  resource witness from the Department of Public  
20                  Safety Driver's License Division? Okay.

21                  Rebecca Davio from the Department of  
22                  Public Safety testifying neutrally on the Committee  
23                  Substitute Senate Bill 14.

24                  REBECCA DAVIO: Good afternoon,  
25                  Chairman Bonnen, Members. My name is Rebecca Davio,



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